

UNITED STATES DISTRICT COURT
THE DISTRICT OF NEW JERSEY

LUZ DELMORA

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

:
: UNITED STATES DISTRICT COURT FOR
: THE DISTRICT OF NEW JERSEY
:
: **COMPLAINT WITH DEMAND FOR**
: **TRIAL BY JURY**
:
:
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:
:

Plaintiff, LUZ DELMORA, by way of Complaint, states:

PARTIES

1. Plaintiff, LUZ DELMORA, is an adult individual residing at 582 North 9th Street, Newark, New Jersey 07107.

JURISDICTION AND VENUE

2. This Court had jurisdiction over this claim against the UNITED STATES OF AMERICA, UNITED STATES POSTAL SERVICE and JOSEPH J. BURROUGHS pursuant to 28 U.S.C 1331.

3. The acts or omissions giving rise to the Plaintiff's claim occurred in the District of New Jersey. Venue is therefore proper under 28 U.S.C 1391(b).

ALLEGATIONS

4. On or about January 7, 2020, Plaintiff, LUZ DELMORA, was the driver of a motor vehicle which was traveling on North 7th Street at the intersection of Dickerson Street in Newark, New Jersey.

5. At the same time and place aforesaid, JOSEPH J. BURROUGHS, was driving a motor vehicle owned by Defendants, UNITED STATES OF AMERICA, which was traveling on North 7th Street at the intersection of Dickerson Street in Newark, New Jersey.

6. On or about January 7, 2020, an incident occurred when the Defendant's vehicle struck the vehicle driven by Plaintiff, LUZ DELMORA.

7. JOSEPH J. BURROUGHS, operated his motor vehicle in such a careless and negligent manner so as to cause an accident with the vehicle which Plaintiff, LUZ DELMORA, was driving.

8. Defendant UNITED STATES OF AMERICA negligently entrusted its vehicle to JOSEPH J. BURROUGHS.

9. At the time of the January 7, 2020 accident, JOSEPH J. BURROUGHS, was an employee and/or agent of Defendant, UNITED STATES OF AMERICA, and was acting within the scope of his employment/agency.

10. As a direct and proximate result of said accident, Plaintiff, LUZ DELMORA, suffered severe painful bodily injuries, which resulted in her obtaining medical treatment and sustaining loss wages which caused her great pain and suffering.

11. The acts or omissions by the Defendant described herein constitute the tort of negligence under the laws of the State of New Jersey.

12. Under the Federal Tort Claims Act, the Defendant is liable for these acts or omissions.

WHEREFORE, Plaintiff, LUZ DELMORA, demands judgment against the Defendant UNITED STATES OF AMERICA, for damages, together with interest, cost of suit and attorneys' fees.

/s/ David Wasserman

David Wasserman, Esq.

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Dated: January 12, 2021